

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Tasuku HONJO, et al.

Appln. No.: 09/674,330

Group Art Unit: NOT YET ASSIGNED

Filed: October 30, 2000

Examiner: NOT YET ASSIGNED

For:

A NOVEL POLYPEPTIDE, A cDNA ENCODING THE POLYPEPTIDE AND

UTILIZATION THEREOF

SUBMISSION OF EXECUTED DECLARATION

ATTN: BOX PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)", mailed November 22, 2000, for the above application, Applicant respectfully submits herewith the Declaration for the above identified application properly executed by the inventors. Also enclosed please find an executed Assignment and PTO Form 1595.

Checks for the statutory fee of \$130.00 and Assignment recordation fee of \$40.00 are attached. Please also charge any underpayment or credit any overpayment to Deposit Account No. 19-4880. A duplicate copy of this paper is attached.

Respectfully submitted,

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC

2100 Pennsylvania Avenue, N.W.

Washington, D.C. 20037-3213 Telephone: (202) 293-7060

Facsimile: (202) 293-7860

MXB/alb

Date: December 20, 2000

Mark Boland

Registration No. 32,197

DECLAR ION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: A novel polypeptide, a cDNA encoding the polypeptide and utilization thereof the specification of which is attached hereto unless the following box is checked: 🔯 was filed on April 28, 1999 as United States Application Number or PCT International Application Number PCT/JP99/02283 ___ and was amended on ____ I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information of which is material to the patentability as defined in 37 CFR § 1.56. I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s) **Priority Not Claimed** P. Hei. 10-119731 Japan 28/April/1998 (Number) (Country) (Day/Month/Year Filed) (Number) (Country) (Day/Month/Year Filed) (Number) (Country) (Day/Month/Year Filed) I hereby claim the benefits under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below. (Application Number) (Filing Date) I hereby claim the benefits under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application. (Application Number) (Filing Date) (Status - patented, pending, abandoned) (Application Number) (Filing Date) (Status - patented, pending, abandoned) I hereby appoint John H. Mion, Reg. No. 18,879; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, hereby appoint John H. Mion, Reg. No. 18,879; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, No. 26,816; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 30,565; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,434; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Scott M. Daniels, Reg. No. 32,562, Brian W. Hannon, Reg. No. 32,778, Abraham J. Rosner, Reg. No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils. Reg. No. 33,102. Brett S. Sylvester, Reg. No. 32,765 and Robert M. Masters, Reg. No. 35,603; my attorneys to prosecute this F. Neils, Reg. No. 33,102, Brett S. Sylvester, Reg. No. 32,765 and Robert M. Masters, Reg. No. 35,603; my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC, 2100 Pennsylvania Avenue, N.W., I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Date November 14, 2000 First Inventor_ HONJO First Name Last Name Residence Kyoto, Signature Post Office Address 19-4, Ohsagi-cho, Iwakura, Sakvo-ku, Citizenship_ Kyoto-shi, KYOTO 606-0001 JAPAN Date November 14, 2000 Second Inventor

93, Higashiohno-cho, Koyama, Kita-ku, Japan Citizenship Kyoto-shi, KYOTO 603-8162 JAPAN

Signature

Post Office Address

Kyoto,

Japan

Residence___

Kei

First Name

TASHIRO

Last Name

101112

Date Nov	ember 10, 2000	Third Inventor	Tomoyuki		NAKAMURA
•			First Name	Middle Initial	Last Name
Residence	California,	Signature/	IN Ma	h~	
		Post Office Address_	7665, Palmira	a Dr., #5324,	San Diego, CA
			United States	s of America	
Citizenship	Japan				
Date		Fourth Inventor	First Name	Middle Initial	Last Name
Residence		Signature			
-		Post Office Address			
Citizenship	 				
Date		Fifth Inventor	First Name	Middle Initial	Last Name
Kesidence					
		Post Office Address_	-		
Citizenship					
Date		Sixth Inventor	First Name	Middle Initial	Last Name
Residence	· · · · · · · · · · · · · · · · · · ·	Signature			
		Post Office Address			
Citizenship					
Date		Seventh Inventor			
			First Name	Middle Initial	Last Name
Residence		Signature			
		Post Office Address_	· · · · · · · · · · · · · · · · · · ·		
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Date		Figure Francis			
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Residence		8 gnature			
		Prof. No. Nameson	(40)		
Citizensh c					

DECLAR FION AND POWER OF ATTORNEY

<u>Japan</u>

Citizenship_

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

				ion thereof	
the specification of which is attache	d hereto unless the followin	g box is checked:			
was filed on April 28, Number PCT/JP99/02283 I hereby state that I have reviewed any amendment referred to above.		United States Application of the above-identified spec	Number or PC(if appli	T International Applicati cable). ng the claims, as amended	
I acknowledge the duty to disclose in I hereby claim foreign priority ben certificate, or § 365(a) of any PCT Ir and have also identified below, by application having a filing date befo	efits under 35 U.S.C. § 119 iternational application whic checking the box, any forei	(a)-(d) or § 365(b) of any f ch designated at least one c gn application for patent o	foreign applicatio country other that	n(s) for patent or invento n United States, listed belo	
Prior Foreign Application(s)				Priority Not Claimed	
P. Hei. 10-119731	Japan	28/April/199			
(Number)	(Country)	(Day/Month/Year			
(Number)	(Country)	(Day/Month/Year	Filed)		
(Number)	(Country)	(Day/Month/Year	Filed)		
hereby claim the benefits under 35	U.S.C. § 119(e) of any Unit	ed States provisional appli	cation(s) listed be	low.	
(Application Number)	(Filing	Date)			
of the prior application and the natio	nal or PCT International fil. (Filing		(Status – patented, pending, abandoned)		
		Date	Status – patentet	, penang, abandoneu)	
(Application Number)	(Cili-				
(Application Number) hereby appoint John H. Mion, Reg. Reg. No. 23,063; Robert V. Sloan, Re	g. No. 22,775; Peter D. Olex;	Date) (eak, Reg. No. 19,292; Rober y, Reg. No. 24,513; J. Fran	Status – patenteo rt J. Seas, Jr., Reg k Osha, Reg. No.	l, pending, abandoned) g. No. 21,092; Darryl Mexi 24,625: Waddell A. Biggar	
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hereby appoint John H. Mion, Reg. Reg. No. 23,063; Robert V. Sloan, Reg. Reg. No. 24,861; Louis Gubinsky, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. Bernstein, Reg. No. 25,665; Alan J. K. Mack, Reg. No. 30,951; Frank L. Berr Daniels, Reg. No. 32,562, Brian W. Harrick, Reg. No. 33,102, Brett S. S. S. Splication and to transact all busingbout the application be addressed Vashington, D.C. 20037. hereby declare that all statements medieved to be true; and further that the funishable by fine or imprisonment tatements may jeopardize the validitate. Date	No. 18,879; Thomas J. Macp g. No. 22,775; Peter D. Olex g. No. 24,835; Neil B. Siegel, No. 26,577; Sheldon I. Lanc (asper, Reg. No. 25,426; Kenn Instein, Reg. No. 31,484; Mark annon, Reg. No. 32,778, Abra Sylvester, Reg. No. 32,765 at ess in the Patent and Trade I to SUGHRUE, MION, ZI made herein of my own knowled these statements were made of the company of the application or any particular of the application or any particular of the application or any particular of the second of the company of the application or any particular of the application or any particular of the application or any particular of the application of the second of the company particular of the application of the second o	Date) (eak, Reg. No. 19,292; Robery, Reg. No. 24,513; J. Frank Reg. No. 25,200; David J. Esman, Reg. No. 25,430; Richeth J. Burchfiel, Reg. No. 38, 197; Mam J. Rosner, Reg. No. 33 and Robert M. Masters, Reg. Mark Office connected the NN, MACPEAK & SEAS edge are true and that all st with the knowledge that will 101 of Title 18 of the Unit attent issued thereon. Tasuku First-Name	Status – patented of J. Seas, Jr., Reg. Osha, Reg. No. Cushing, Reg. No. Stard C. Turner, 131,333; Gordon Ki William H. Mandi, 276; Bruce E. Kr. No. 35,603; my rewith, and requ. PLLC, 2100 Peratements made of lful false statements Code at HONJO Last No.	I, pending, abandoned) 2. No. 21,092; Darryl Mexi 24,625; Waddell A. Biggar 28,703; John R. Inge, Re Reg. No. 29,710; Howard I t, Reg. No. 32,156; Scott N amer, Reg. No. 33,762; Par attorneys to prosecute the est that all correspondence nnsylvania. Avenue, N.W In information and belief ar and the like so made ar and that such willful fals	
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Date	Fourth Inventor	First Name	Middle Initial	Last Nam
Residence	Signature			
·	Post Office Address_			
Citizenship			· · · · · · · · · · · · · · · · · · ·	
Date	Fifth Inventor			
			Middle Initial	Last Nam
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Citizenship	-			
Date	Sixth Inventor	First Name	Middle Initial	Last Name
Residence	Signature			
	Post Office Address_			
Citizenship				· · · · ·
Date	Seventh Inventor	First Name	Middle Initial	Läst Nam
Residence	Signature			
	Day Office Address			

Tomoyuki

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Third Inventor

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